

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

----- x Index No.:
CHRISTINA CHARLES, : Date purchased:
: :
: Plaintiff(s) designate(s)
: BRONX
: County as the place of trial
Plaintiff, :
: The basis of the venue is
: Residence of Plaintiff
: :
-against- :
: SUMMONS
: :
FAMILY DOLLAR, :
: :
: Plaintiff resides at
: 13-17 Boston Road
: Bronx, New York
Defendant. :
-----x County of Bronx
To the above named Defendant(s)

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: March 2, 2020

Dominick W. Lavelle
Attorney(s) for Plaintiff

Defendant Address:

Office and Post Office Address
100 Herricks Road
Suite 201
Mineola, New York 11501

FAMILY DOLLAR
1345 Boston Road
Bronx, New York 10456

LA\17663sum

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X	:	
CHRISTINA CHARLES,	:	
	:	
Plaintiff,	:	Index No.:
	:	
-against-	:	Filing Date:
	:	
FAMILY DOLLAR,	:	
	:	<u>VERIFIED COMPLAINT</u>
	:	
Defendant.	:	
-----X	:	

Plaintiff, CHRISTINA CHARLES, by and through her attorney DOMINICK W. LAVELLE, ESQ, complaining of the defendant, hereby alleges as follows:

1. That at all times hereinafter mentioned, plaintiff CHRISTINA CHARLES was and is a resident of the County of Bronx, State of New York, residing at 13-17 Boston Road Bronx, New York.

2. That at all times hereinafter mentioned, and upon information and belief, defendant FAMILY DOLLAR was and is a duly organized domestic corporation or other business entity with an address of 1345 Boston Road, Bronx, New York 10456.

AS AND FOR A FIRST CAUSE OF ACTION
(Negligence Against Defendant FAMILY DOLLAR)

3. Plaintiff repeats and realleges each of the allegations contained in paragraph "1" through "2" of the Complaint as if set forth herein at length.

4. Upon information and belief, and at all times hereinafter mentioned, defendant was the owner of a certain store located at 1345 Boston Road Bronx, New York 10456 (the "Premises").

5. Upon information and belief, and at all times hereinafter mentioned, defendant was the operator of the Premises.

6. Upon information and belief, and at all times hereinafter mentioned, defendant controlled the Premises.

7. Upon information and belief, and at all times hereinafter mentioned, defendant maintained the Premises.

8. Upon information and belief, and at all times hereinafter mentioned, defendant was the managing agent of the Premises.

9. That at all times hereinafter mentioned, the defendant, their employees, servants and agents, operated, controlled, maintained and managed the premises, it being the duty of the defendant, their employees, servants and agents to keep said premises in a safe and habitable condition, to be so constructed, equipped, operated and maintained so as to provide reasonable and adequate protection to the lives, health and safety of all persons and tenants frequenting the Premises.

10. That on or about the 31st day of October, 2019,

plaintiff CHRISTINA CHARLES was lawfully upon said premises as a customer.

11. That on or about the 31st day of October, 2019, while plaintiff was walking in the store, she slipped and fell on a slippery, sticky spilled liquid on the premises. There was no warning sign of any sort.

12. Plaintiff CHRISTINA CHARLES was caused to sustain severe injuries as a result of defendant's negligence, recklessness and wanton disregard in allowing the area where she was injured to be in a dangerous and unsafe condition.

13. Plaintiff's accident was due solely to the negligence, carelessness, recklessness and wanton disregard of the defendant in failing to maintain, prevent and correct the obviously dangerous conditions in the Premises; in permitting the floor to remain in a hazardous, and defective condition for a long period of time prior to plaintiff's accident; in failing to properly notify plaintiff of the dangers; in failing to inspect and clean the defective area before the accident occurred, by failing to provide a caution sign; in failing to rope off the dangerous condition and in sum creating and perpetuating the dangerous conditions which existed for a significant period of time that in the exercise of reasonable care defendant knew or should have known of its existence and corrected it.

14. Defendant created the dangerous condition.

15. Defendant had notice or knowledge of the dangerous condition.

16. Defendant by the exercise of due care and concern, should have had knowledge of the dangerous condition for a long time prior to this accident.

17. That by reason of the defendant's negligence, plaintiff has suffered serious injuries. The injuries are permanent and are the cause of great physical pain and mental anguish, present and future.

18. That the amount of damages alleged herein exceeds the jurisdictional limit of any other inferior court that would otherwise have jurisdiction over this matter.

WHEREFORE, the plaintiff, CHRISTINA CHARLES, demands judgment against defendant FAMILY DOLLAR for damages alleged herein in a sum that is both just and fair, the costs and disbursements of this action and such other and further relief this court deems just and proper.

Dated: Mineola, New York
March , 2020

Respectfully submitted,



Dominick W. Lavelle, Esq.
Attorney for Plaintiff
100 Herricks Road, Suite 201
Mineola, New York 11501
(516) 739-8111

I\vc17663

VERIFICATION

EMILY K. LAVELLE, an attorney admitted to practice in the courts of the State of New York, affirms the following under the penalties of perjury:

I am the attorney for the plaintiff for the within action and I am fully familiar with the facts and circumstances herein.

I have read the foregoing document and know the contents thereof, to be true to my own knowledge except as to the matters therein alleged upon information and belief and that as to those matter I believe them to be true.

The source of your deponent's knowledge, information and the grounds of my belief as to all the matters therein alleged upon are my communications with the plaintiff, and my review of the records and information contained in the files in our office.

The reason this verification is being made by the undersigned and not the plaintiff is that said plaintiff does not maintain residence in the county where your affirmant's firm maintains its offices.

Dated: Mineola, New York
March 2, 2020



Emily K. Lavelle